

U.S. Pat. App. Ser. No. 10/824,234  
Attorney Docket No. 1715663

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**SEP 13 2006**

In re Patent Application of:

Fumio OHTOMO et al.

Serial No.: 10/824,234

Filing Date: April 14, 2004

For: ELECTRONIC SURVEYING  
APPARATUS

Examiner: RATCLIFFE, Luke D.

Group Art Unit: 3662

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Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**AMENDMENT AND REPLY**

**with**

**REQUEST FOR CONTINUED EXAMINATION**

Greetings:

This timely response is submitted with a Request for Continued Examination under 37 CFR §1.114, in reply to the final Office Action mailed on July 14, 2006, wherein the Examiner:

1. Rejected Claims 1, 4, 6, and 8 under 35 U.S.C. §102(e) as being anticipated by *Kacyra*, U.S. Pub. No. 2003-0121673.

2. Rejected Claims 2, 3, 5, 7, 9, 14, 15, and 16 under 35 U.S.C. §103(a) as being unpatentable over *Kacyra* in view of *Yoshida*, U.S. Pat. No. 6,229,598.

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3. Rejected Claim 10 and 17 under 35 U.S.C. §103(a) as being unpatentable over *Kacyra* in view of *Lundberg*, U.S. Pat. No. 5,100,229.

4. Rejected Claim 11 under 35 U.S.C. §103(a) as being unpatentable over *Kacyra* in view of *Yoshida*, as applied to claim 2 above, and further in view of *Lundberg*.

5. Rejected Claim 12 under 35 U.S.C. §103(a) as being unpatentable over *Kacyra* in view of *Julian*, U.S. Pat. No. 5,671,160.

6. Rejected Claims 13 and 18 under 35 U.S.C. §103(a) as being unpatentable over *Kacyra* in view of in view of *Yoshida*, as applied to claims 2 and 3 above, and further in view *Julian*.

The following amendments and remarks are submitted in response.

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks** begin on page 11 of this paper.